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JOURNALS OF THE SENATE.

MONDAY, November 5, 1849.

This being the day fixed by law for the meeting of the Legislature of the State of Texas, the Senate met at the Capitol in the City of Austin, the Seat of Government of said State, when the following proceedings were had:

Hon. John A. Greer, Lieutenant-Governor and *ex-officio* President of the Senate, in the Chair.

The Senate being called to order, Mr. N. C. Raymond was appointed Secretary *pro tem*, and Mr. Thos. Ward Sergeant-at-Arms *pro tem*.

The roll of Senators being called by Districts, the following gentlemen presented their credentials, took the oath prescribed by the Constitution and their seats:

From District No. 2,	A. H. Latimer.
" " " 3,	Hardin Hart.
" " " 4,	A. G. Walker.
" " " 5,	David Gage.
" " " 6,	J. F. Taylor.
" " " 7,	A. M. Truit.
" " " 8,	J. H. McRae.
" " " 9,	J. H. Moffett.
" " " 10,	Isaac Parker.
" " " 11,	John B. Jones.
" " " 12,	L. W. Brashear.
" " " 13,	Jesse Grimes.
" " " 14,	J. B. Robertson.
" " " 15,	Wilds K. Cooke.
" " " 17,	David Y. Portis.
" " " 20,	David C. Van Derlip.
" " " 22,	B. Rush Wallace.

The roll of Senators being called and a quorum being present,

Mr. Parker moved that the Senate proceed to its organization by the election of a Secretary, ~~carried~~.

Mr. Gage nominated Mr. William T. Cake.

Mr. Grimes " " Charles Mason.

Mr. Robertson " " Geo. W. Horton.

Mr. McRae nominated Mr. Nat. C. Raymond.

The ballot being taken, Mr. Cake received six votes ;

" Mason " four "

" Horton " two "

" Raymond " five "

No one candidate having received a majority of the whole number of votes, the Senate proceeded to a second ballot.

Mr. Horton's name being withdrawn, when

Mr. Cake received six votes ;

" Mason " five "

" Raymond " six "

No one candidate having received a majority of all the votes, the Senate proceeded to a third ballot :

Mr. Cake received eight votes ;

" Mason " five "

" Raymond " four "

No one candidate having received a majority of the whole number of votes, the Senate proceeded to a fourth ballot, when

Mr. Cake received seven votes ;

" Mason " four "

" Raymond " six "

No one candidate having received a majority of the whole number of votes, the Senate proceeded to a fifth ballot, when

Mr. Cake received seven votes ;

" Mason " two "

" Raymond " eight "

No one candidate having received a majority of the whole number of votes, the Senate proceeded to a sixth ballot :

Mr. Mason's name being withdrawn, when

Mr. Cake received eight votes ;

" Raymond " nine "

Mr. Raymond having received a majority of the whole number of votes, was declared duly and constitutionally elected Secretary of the Senate.

The Senate proceeded to its further organization, by the election of an Assistant Secretary :

Mr. Wallace nominated Mr. James F. Johnson.

Mr. Robertson " " Jesse G. Thomas.

The ballot being taken, Mr. Johnson received eleven votes ;
 " Thomas " six "

Mr. Johnson having received a majority of the whole number of votes, was declared duly and constitutionally elected Assistant Secretary of the Senate.

The Senate then proceeded to its further organization, by the election of an Engrossing Clerk :

Mr. Grimes nominated Mr. John Buchanan.

Mr. Moffett " " John B. Hickey.

Mr. McRae " " Dexter Watson.

The ballot being taken, Mr. Buchanan received one vote.

 " Hickey " twelve votes.

 " Watson " four votes

Mr. Hickey having received a majority of the whole number of votes, was declared duly and constitutionally elected Engrossing Clerk of the Senate.

The Senate proceeded to its further organization by the election of an Enrolling Clerk :

Mr. Robertson nominated Mr. James W. Johnson.

There being no other nomination, and the ballot being taken, Mr. Johnson was declared duly, constitutionally and unanimously elected Enrolling Clerk of the Senate.

The Senate proceeded to its further organization, by the election of a Sergeant-at-Arms.

Mr. McRae nominated Mr. Thos. Ward.

Mr. Cooke " " Gibson Maddox.

Mr. Robertson " " S. W. Pipkin.

Mr. Moffett " " R. H. Flannigan.

The ballot being taken, Thos. Ward received three votes.

 Mr. Maddox " nine "

 " Pipkin " five "

Mr. Maddox having received a majority of all the votes, was declared duly and constitutionally elected Sergeant-at Arms of the Senate.

The Senate proceeded to its further organization by the election of a Door-Keeper.

Mr. Grimes nominated Mr. Joseph Mangum and Mr. Thomas Plasters.

Mr. Portis nominated Mr. Geo. Allen.

Mr. Walker " " Levi Pennington.

Mr. McRae " " C. C. Browning.

Mr. Taylor " " M. B. Irwin.

Mr. Robertson " " R. D. McAnelly.

The ballot being taken, Mr. Allen received two votes.

" Irwin "	seven "
" Mangum "	two "
" Pennington "	one "
" Browning "	three "
" McAnelly "	one "
" Plasters "	one "

No one candidate having received a majority of the whole number of votes, the Senate proceeded to a second ballot, when

Mr. Irwin received seven votes,

" Allen "	one "
" Mangum "	two "
" Plasters "	three "
" Browning "	four "

No one candidate having received a majority of the whole number of votes, the Senate proceeded to a third ballot:

Mr. McAnnelly's name being withdrawn,

Mr. Irwin received seven votes.

" Allen "	two "
" Mangum "	one "
" Plasters "	three "
" Browning "	four "

No one candidate having received a majority of the whole number of votes, the Senate proceeded to its fourth ballot, when

Mr. Irwin received six votes.

" Allen "	three "
" Plasters "	three "
" Browning "	four "

Mr. Pennington and Mr. Mangum being withdrawn.

No one candidate having received a majority of the whole number of votes, the Senate proceeded to the fifth ballot, when

Mr. Irwin received nine votes.

" Allen "	one "
" Plasters "	three "
" Browning "	four "

Mr. Irwin having received a majority of the whole number of votes, was declared duly and constitutionally elected Door-Keeper of the Senate.

Mr. Parker moved that the officers elect come forward and take the oath of office.

The Secretary, Assistant Secretary, Enrolling Clerk, Sergeant-at-Arms and Door-Keeper came forward and took the oath prescribed by the Constitution, the Engrossing Clerk refusing to be sworn.

On motion of Mr. Parker, a committee was appointed to inform the House of Representatives of the organization of the Senate, and their readiness to proceed to business.

Messrs. Parker, Robertson and Truit were appointed said committee.

Mr. Latimer moved that a committee be appointed by the Senate to act in conjunction with a like committee on the part of the House of Representatives, to wait upon the Governor and inform him of the organization of the Legislature, and their readiness to receive any communication he might be pleased to make to them.

Messrs. Latimer, Grimes and Walker were appointed said committee.

Mr. Robertson presented the petition of E. M. Pease, contesting the seat in the Senate of John B. Jones, with accompanying documents, which were, on motion of Mr. Parker, laid upon the table.

On motion of Mr. Gage, the Senate adjourned until 3 o'clock P. M.

3 O'CLOCK, P. M.

Senate met, roll called, quorum present.

Mr. Grimes introduced a bill to be entitled an act, to incorporate the Austin College; read first time.

Mr. Parker offered the following resolution:

Resolved, That the Secretary of the Senate be authorized to procure a copy of the rules of the Senate for the President and each member of the Senate; adopted.

A message was received from the House through a committee, announcing to the Senate that the House had organized, and were ready to proceed to business.

The committee appointed by the Senate to inform the House of the organization of the Senate, reported that they had discharged that duty and asked leave to be discharged.

A message was received from the House, announcing to the Senate that the House had elected the following officers:

C. G. Keenan, Speaker.

Mr. Ben. F. Hill, Chief Clerk.

Mr. T. C. Woodlief, Assistant Clerk.

Mr. R. C. Matthewson, Engrossing Clerk.

Mr. A. G. Kimbell, Enrolling Clerk.

Mr. F. H. Clark, Sergeant-at-Arms.

Mr. S. L. Johnson, Door-Keeper.

Also, that the House had appointed Messrs. Lott, Clements and

Crump of Austin, a committee on the part of the House, to act in conjunction with a like committee on the part of the Senate, to wait upon the Governor and inform him that both Houses of the Legislature were organized and ready to receive any communication he might wish to make to them.

Mr. Robertson offered the following resolution:

Resolved, That the rules that governed the last session of the Senate, and the joint rules of the two Houses at the last session be adopted as the rules of the Senate this session, which was, on motion of Mr. Gage, laid on the table one day.

The committee appointed on the part of the Senate to act in conjunction with a like committee on the part of the House to wait on the Governor and inform him of the organization of the two Houses, and their readiness to receive any communication he might wish to make to them, reported that they had performed that duty, and that the Governor would deliver a message to them on to-morrow at 3 o'clock.

On motion of Mr. McRae, the Senate adjourned until 10 o'clock, to-morrow morning.

TUESDAY, 10 O'CLOCK A. M., November 6, 1849.

The Senate was called to order by the President.

The following Senators answered to their names:

Messrs. Brashear, Cooke, Grimes, Gage, Hart, Jones, Latimer, Moffett, McRae, Parker, Portis, Robertson, Taylor, Truit, Van Derlip, Walker and Wallace; quorum present.

The journals of the preceding day were read and adopted.

The following communication from Mr. J. B. Hickey was read:

AUSTIN, November 6, 1849.

Hon. J. A. GREER, President of the Senate:

Sir, Having maturely considered my position in reference to the qualification necessary on entering upon the discharge of the duties of Engrossing Clerk of the Senate, I have decided to decline taking the prescribed oath, and request that you will inform your honorable body of my determination, in order that they may elect another. At the same time, if it will not be amiss, be pleased to express to the Senate my thanks for the honor conferred upon me in my election.

I have the honor to be, with high respect,

Your obedient servant,

J. B. HICKEY.